

Juliette P. White, USB #9616  
**PARSONS BEHLE & LATIMER**  
201 South Main Street, Suite 1800  
Salt Lake City, Utah 84111  
Telephone: 801.532.1234  
Facsimile: 801.536.6111  
JWhite@parsonsbehle.com  
ecf@parsonsbehle.com

*Attorney for Plaintiffs*

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

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EAGLE VIEW TECHNOLOGIES  
INC., PICTOMETRY  
INTERNATIONAL CORP.,

Plaintiffs,

vs.

NEARMAP US, INC.,

Defendant.

**PLAINTIFFS' MOTION FOR  
LEAVE TO SUPPLEMENT THE  
RECORD IN SUPPORT OF  
PLAINTIFFS' SHORT FORM  
DISCOVERY MOTION TO  
COMPEL CONTINUED  
DEPOSITION OF TONY  
AGRESTA**

Case No. 2:21-cv-00283-TS-DAO

The Honorable Ted Stewart

Magistrate Judge Daphne A. Oberg

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EagleView respectfully moves the Court for leave to supplement the record in support of EagleView's Short Form Discovery Motion to Compel Continued Deposition of Tony Agresta (ECF No. 196).

On December 21, 2022, EagleView moved for an order compelling Nearmap to make Tony Agresta available for a limited continued deposition. ECF No. 196.

As explained in EagleView's motion, Nearmap's late production contained several unique, relevant, and material documents. *Id.*

EagleView has since discovered significant issues with the production and notified Nearmap of these issues on December 21, 2022. *See* Ex. A.

On January 2, 2023, Nearmap produced approximately 2,500 pages of new documents. *See id.* EagleView completed its review of those documents and has identified several additional unique, relevant, and material documents. *See, e.g.,* Exs. B (NEARMAP\_1082982) and C (excerpt from NEARMAP\_1082980). For example, Exhibit B includes newly produced information regarding Nearmap's roadmap for one of the accused products, and Exhibit C directly relates to Nearmap's Response to EagleView's Request for Admission No. 42. *Compare* Ex. C with Ex. D (Nearmap's Response to EagleView's Request for Admission No. 42).

The foregoing new evidence further demonstrates that EagleView has suffered prejudice from Nearmap's late and incomplete productions, and EagleView respectfully requests that it be permitted to supplement the record in support of its motion with this additional evidence of prejudice.

Dated: January 11, 2023

Respectfully submitted,

/s/ Juliette P. White

Juliette P. White  
Parsons Behle & Latimer

201 South Main Street, Suite 1800  
Salt Lake City, Utah 84111  
Telephone: 801.532.1234  
Fax: 801.536.6111  
JWhite@parsonsbehle.com  
ecf@parsonsbehle.com

L. Kieran Kieckhefer  
Christina E. Myrold  
SHEARMAN & STERLING LLP  
535 Mission Street, 25th Floor  
San Francisco, CA 94105  
Telephone: 415.616.1100  
Fax: 415.616.1339  
kieran.kieckhefer@shearman.com  
christina.myrold@shearman.com

Matthew G. Berkowitz  
Patrick Colsher  
Lillian J. Mao  
Yue (Joy) Wang  
SHEARMAN & STERLING LLP  
1460 El Camino Real, 2nd Floor  
Menlo Park, CA 94025  
Telephone: 650.838.3600  
Fax: 650.838.3699  
matthew.berkowitz@shearman.com  
patrick.colsher@shearman.com  
lillian.mao@shearman.com  
joy.wang@shearman.com

Eric S. Lucas  
SHEARMAN & STERLING LLP  
599 Lexington Ave.  
New York, NY 10022  
Telephone: 212.838.4955  
Fax: 646.848.4955  
eric.lucas@shearman.com

*Attorneys for Plaintiffs Eagle View  
Technologies, Inc. and Pictometry  
International Corp.*

**CERTIFICATE OF SERVICE**

I hereby certify that, on the 11th day of January 2022, I caused to be electronically filed and served the foregoing PLAINTIFFS' MOTION FOR LEAVE TO SUPPLEMENT THE RECORD IN SUPPORT OF PLAINTIFFS' SHORT FORM DISCOVERY MOTION TO COMPEL CONTINUED DEPOSITION OF TONY AGRESTA with the Clerk of the Court using the Court's electronic filing system, which sent notification of such filing to all attorneys listed on the docket.

/s/ Juliette P. White

Juliette P. White  
*Attorney for Plaintiffs*